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OFFICE OF PETITIONS

In re Application of :
Simon Blair Dobson :
Application No. 10/020,869 : DECISION GRANTING PETITION
Filed: 12 December, 2001 :
Atty Dcket No. 60130-1294/00MRA0564 :

This is a decision on the renewed petition styled under 37 CFR 1.10(c) filed by facsimile on 9 May, 2002, which is treated as a petition under 37 CFR 1.10(d) requesting that the above-identified application be accorded a filing date of 12 December, 2001, rather than the presently accorded filing date of 18 December, 2001.

Petitioner alleges that the application was deposited in Express Mail service on 12 December, 2001. Petitioners state that they did not receive a copy of the Express Mail customer label, but have provided with the petition a tracking report printed from the USPS Internet Track & Confirm and database which shows that a mailing bearing Express Mail Label No. EL747232810US (the same Express Mail number found on the Utility Patent Application Transmittal filed with the original application papers located in the official file) was "Enroute" on 12 December, 2001.

In view of the evidence present in the file, it is concluded that the correct date of deposit in Express Mail service is 12 December, 2001.

In view of the above, the application is entitled to a filing date of 12 December, 2001.

The petition is granted. No petition fee is due and none has been charged.

The application is being returned to Office of Initial Patent Examination for reprocessing with a filing date of 12 December, 2001, not 18 December, 2001, and for issuance of a corrected Filing Receipt.

Telephone inquiries may be directed to the undersigned at 703-308-6918.



Douglas I. Wood
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Office of Petitions
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for Patent Examination Policy